

Remarks.

The Examiner has indicated that claim 7 would be allowable if rewritten in independent form. Accordingly, Applicant has amended claim 7 in independent form to include the subject matter of claim 1 on which claim 7 was dependent.

Furthermore, Applicant has amended the dependency of the remaining dependent claims to depend from rewritten claim 7 rather than claim 1 which has been canceled.

1-2/ Claims 1-3, 8-9 and 12-13 have been rejected under 35 USC S 102(b) as anticipated by Pederson.

Published application 2001/0003872 to Pederson discloses a tape device having a first and second end, edge and surface. Additionally, a coating of adhesive is disposed on one surface of the tape and measuring indications are printed along the other tape surface.

Accordingly, Applicant has canceled independent claims 1, 12 and 13 and has amended the dependency of dependent claims 2-3 and 8-9 to depend from rewritten claim 7 rather than canceled claim 1.

Therefore, Applicant is of the opinion that amended claims 2-3 and 8-9 define further novel and

nonobvious combinations of features over the Pederson reference and should be allowable.

3/ Claims 1-3, 8-9 and 12-13 have been rejected under 35 USC S102(b) as being anticipated by US Pat. 3,936,944 to Byne.

US Pat. 3,936,944 to Byne teaches a tape device having a flexible roll with adhesive applied on one surface thereof only.

Accordingly, Applicant has canceled claim 1, 12 and 13 and has amended the dependent claims 2-3 and 8-9 to depend from allowed rewritten claim 7.

Therefore, Applicant is of the opinion that amended claims 2-3 and 8-9 define further novel and nonobvious combinations of features over the Pederson reference and should be allowable.

4-5/ Claims 4-6 and 10-11 have been rejected under 35 USC S103(a) as being unpatentable over Pederson in view of US Pat. No. 4,351,113 to Eggertson.

US Pat. No. 4,351,113 to Eggertson describes a tape with adhesive on the back surface thereof and having a width of .75 inches.

Consequently, Applicant has canceled claim 1, 12 and 13 and has amended the dependent claims 4-6 and 10-11 to depend from allowed rewritten claim 7.

Therefore, Applicant is of the opinion that amended claims 4-6 and 10-11 define further nonobvious combinations of features over the combined references and should be allowable.

Reexamination and reconsideration of the claims is requested.

By this amendment claims 1, 12 and 13 have been canceled. The dependency of claims 2-6 and 8-11 has been amended. Claim 7 has been indicated to be allowable. Claims 2-11 remain in this application.

Allowance of claims 2-11 is earnestly solicited.

Applicant files herewith a petition for a two month extension to February 23rd 2006 together with a check for payment of such petition.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David J. Archer". The signature is fluid and cursive, with the first name "David" and last name "Archer" clearly distinguishable.

David J. Archer.

Reg. 31,076.

Applicants representative.